

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

CHUBBY CHUCK PENNZX,
Petitioner,

v.

Civil No. 3:22cv68 (DJN)

VIRGINIA PAROLE BOARD,
Respondent.

MEMORANDUM OPINION

Petitioner Chubby Pennzx, proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (ECF No. 1.) By Memorandum Order entered on February 15, 2022, the Court directed Petitioner to complete and return, within fifteen days of the date of entry thereof, an affidavit in support of his request to proceed *in forma pauperis* or pay the \$5.00 filing fee. (ECF No. 2.) More than fifteen (15) days have passed and Petitioner has not returned the required *in forma pauperis* affidavit.

Petitioner has failed to pay the assessed fee and has not adequately explained any special circumstances warranting excuse from payment. Accordingly, the petition will be DISMISSED WITHOUT PREJUDICE. A certificate of appealability will be DENIED.

An appropriate order shall issue.

Let the Clerk file a copy of the Memorandum Opinion electronically and send a copy to Petitioner.

/s/

David J. Novak
United States District Judge

Richmond, Virginia
Dated: March 18, 2022